



STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

M E M O R A N D U M

DATE: January 25, 2006
TO: Independent, Political and Caucus Committees
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: **REPORTS REQUIRED FOR SPECIAL ELECTION IN THE 23RD STATE SENATE DISTRICT**

CAREFULLY READ THIS MEMO TO DETERMINE IF THE DESCRIBED FILINGS ARE REQUIRED OF YOUR COMMITTEE.

THE REPORTS ARE REQUIRED OF INDEPENDENT, POLITICAL AND CAUCUS COMMITTEES REGISTERED ON THE STATE LEVEL THAT PARTICIPATE IN THE FEBRUARY 21, 2006 SPECIAL PRIMARY AND THE MARCH 14, 2006 SPECIAL ELECTION SCHEDULED IN THE 23RD STATE SENATE DISTRICT.

I. SPECIAL ELECTION INDEPENDENT EXPENDITURE REPORT

An Independent or Political Committee registered on the state level that makes an independent expenditure from January 7, 2006 through February 21, 2006 to support or oppose a candidate participating in the February 21, 2006 special primary scheduled in the 23rd State Senate District is required to file a "Special Election Independent Expenditure Report."

Similarly, an Independent or Political Committee registered on the state level that makes an independent expenditure from January 28, 2006 through March 14, 2006 to support or oppose a candidate participating in the March 14, 2006 special election scheduled in the 23rd State Senate District is required to file a "Special Election Independent Expenditure Report."

The report must be filed with the Department of State's Bureau of Elections within 48 hours after the independent expenditure is made. Independent expenditures are expenditures made on behalf of the candidate which are not made under the control or with the consent of the Candidate Committee.

- Special Election Independent Expenditure Reports are not waived by a Reporting Waiver.
- A Special Election Independent Expenditure Report is made by attaching an Itemized Independent Expenditure Schedule (2B-1) to a Campaign Statement Cover Page, entering the appropriate information and submitting the forms within the 48 hour period explained above. The Cover Page must list the committee's name and identification number and be signed by the committee's treasurer or designated recordkeeper. The Itemized Independent Expenditures Schedule must list the date and the amount of the independent expenditure; the name of the candidate and the office he or she seeks; the name and

address of the person to whom the independent expenditure was paid; and a description of the independent expenditure which specifies whether the independent expenditure was made to support or oppose the candidate involved. The Summary Page is not completed.

- An independent expenditure which is reported in the above manner must be listed on the committee's next required Campaign Statement.
- If the committee raised **\$10,000.00 or less** during the previous 2 years, a \$25.00 late filing fee will be assessed each business day the report remains unfiled up to \$500.00. If the committee raised **more than \$10,000.00** during the previous 2 years, the maximum late filing fee which can be assessed is increased to \$1,000.00. The late filing fee is assessed as follows:
 - (a) \$25.00 for each business day the report remains unfiled.
 - (b) An additional \$25.00 for each business day after the first 3 business days the report remains unfiled.
 - (c) An additional \$50.00 for each business day after the first 10 business days the report remains unfiled.

II. LATE CONTRIBUTION REPORTS

An Independent or Political Committee registered on the state level must report all "late contributions." A late contribution is any single contribution of \$200.00 or more received by the committee between the 15th and 3rd day before the date of any "election" in which the committee participates. The term "election" is used to mean a primary, general, special, recall or millage election held in Michigan or a convention or caucus held by a political party in Michigan to nominate candidates.

An Independent or Political Committee registered on the state level that participates in the February 21, 2006 special primary scheduled to nominate candidates for the vacancy in the 23rd State Senate District is required to file a "Late Contribution Report" if the committee receives a contribution of \$200.00 or more from February 6, 2006 through February 18, 2006.

An Independent or Political Committee registered on the state level that participates in the March 14, 2006 special election scheduled to fill the vacancy in the 23rd State Senate District is required to file a "Late Contribution Report" if the committee receives a contribution of \$200.00 or more from February 27, 2006 through March 11, 2006.

- A Late Contribution Report must be received by this office within 48 hours after the committee's receipt of the contribution. A Late Contribution Report must contain the date and amount of the contribution along with the contributor's name, street address, occupation, employer and principal place of business. The report may be made in a telegram or by any other means of written communication. A Late Contribution Report need not contain an original signature. In addition to this report, the late contribution must be disclosed on the next Campaign Statement filed by the committee.
- Late Contribution Reports are not waived by a Reporting Waiver. However, committees with a Reporting Waiver are not required to show late contributions on a Campaign Statement.

- A committee, treasurer or designated recordkeeper who fails to report a late contribution required under Michigan's Campaign Finance Act will be responsible for the payment of a late filing fee. The maximum late filing fee which will be assessed is \$2,000.00. The late filing fee is assessed as follows:
 - (a) \$25.00 for each business day the report remains unfiled.
 - (b) An additional \$25.00 for each business day after the first 3 business days the report remains unfiled.
 - (c) An additional \$50.00 for each business day after the first 10 business days the report remains unfiled.

III. 24-HOUR REPORTS (FILED BY CAUCUS COMMITTEE ONLY)

Caucus Committee are also required to file daily reports, from the 14th day preceding a primary, a general or special election to the day after the primary, general or special election, if the committee receives a contribution or makes an expenditure of more than \$1,000.00. Similar to a "Late Contribution Report," a 24-Hour Report must fully disclose the contribution or expenditure, may be made in a telegram, fax or by any other means of written communication, and need not contain an original signature.

- A 24-Hour Report is due no later than 4:00 p.m. on the first business day following the date the contribution in excess of \$1,000.00 is received or the expenditure in excess of \$1,000.00 is made. The 24-Hour Report closes on the day the contribution is received or the expenditure is made.
- A Caucus Committee that participates in the February 21, 2006 special primary scheduled in the 23rd State Senate District is required to file a 24-Hour Report if the committee receives a contribution or makes an expenditure of more than \$1,000.00 from February 7 through February 22, 2006.
- A Caucus Committee that participates in the March 14, 2006 general special election scheduled in the 23rd State Senate District is required to file a 24-Hour Report if the committee receives a contribution or makes an expenditure of more than \$1,000.00 from February 28 through March 15, 2006.
- If a 24-Hour Report is required for a contribution in excess of \$1,000.00, the Late Contribution Report Form can be used to meet this requirement. The form can be found at www.michigan.gov/sos.
- If a 24-Hour Report is required for an expenditure in excess of \$1,000.00, a Schedule 2B must be used to meet this requirement. The form can be found at www.michigan.gov/sos.
- If the committee raised \$10,000.00 or less during the previous 2 years, a \$25.00 late filing fee will be assessed each business day the report remains unfiled up to \$500.00. If the committee raised more than \$10,000.00 during the previous 2 years, the maximum fee which will be assessed is increased to \$1,000.00. The late filing fee will be assessed as follows:
 - (a) \$25.00 for each business day the report remains unfiled.
 - (b) An additional \$25.00 for each business day after the first 3 business days the report remains unfiled.

- (c) An additional \$50.00 for each business day after the first 10 business days the report remains unfiled.

QUESTIONS?

If you have any questions, please do not hesitate to contact this office.

Michigan Department of State
Bureau of Elections
Post Office Box 20126
Lansing, Michigan 48901-0726
Phone: (517) 373-2540

Office Location: Treasury Building, 1st Floor
430 West Allegan
Lansing, Michigan 48918